

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

Crim. No. 07-219 (JNE/AJB)  
ORDERJose Dolores Almada-Cota (1) and  
Victor Arriaga Valverde (2),

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Arthur J. Boylan, United States Magistrate Judge, on October 30, 2007. The magistrate judge recommended that Jose Dolores Almada-Cota's and Victor Arriaga Valverde's motions to suppress be denied and that Almada-Cota's motion for severance be denied. Almada-Cota and Valverde objected, and the government responded. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Almada-Cota's Motion to Suppress All Electronic Surveillance Evidence and any Evidence Derived Therefrom [Docket No. 35] is DENIED.
2. Almada-Cota's Motion to Suppress Evidence due to a Rule 5(a) Violation [Docket No. 36] is DENIED.
3. Almada-Cota's Motion to Suppress Statements, Admissions and Answers [Docket No. 37] is DENIED.
4. Almada-Cota's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [Docket No. 38] is DENIED.
5. Valverde's Motion to Suppress a Rule 5(a) Violation [Docket No. 27] is DENIED.
6. Valverde's Motion to Suppress Evidence Obtained Pursuant to Search Warrant [Docket No. 28] is DENIED.

7. Almada-Cota's oral motion for severance of defendants [No Docket No.] is DENIED.

Dated: December 6, 2007

s/ Joan N. Ericksen

JOAN N. ERICKSEN

United States District Judge